REMARKS

The last Office Action of May 1, 2007 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-16 are pending in the application. Claims 1, 3, 4 and 7 have been amended. Claims 2, 5, 15 and 16 have been canceled. No amendment to the specification has been made. No fee is due.

Claims 1-16 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-14 stand rejected under 35 U.S.C. §101 because the invention is allegedly directed to non-statutory subject matter, because the claims fail to recite process steps.

Claims 1, 5, 6, 8 and 12-16 stand rejected under 35 U.S.C. §102(b) as being anticipated by US patent 6,078,847 to Eidson et al.

Applicant notes that no prior art has been applied against claims 2-4, 7, and 9-11, and these claims are therefore presumed to be allowable if the rejections under 35 U.S.C. §§101 and 112 are overcome.

REJECTIONS UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The words "in particular a motion sequence" have been deleted from claim 1. Claim 15 has been canceled.

Withdrawal of this rejection is therefore respectfully requested.

REJECTIONS UNDER 35 U.S.C. §101

Claim 1 has been amended to clearly set forth the method steps that define the scope of what the inventor has invented.

Withdrawal of this rejection is therefore respectfully requested.

REJECTIONS UNDER 35 U.S.C. §102(b)

Applicant notes, as mentioned above, that no prior art has been applied against claim 2. For the purpose of expediting the patent application process in a manner consistent with the PRO's Patent Business Goals (PBG), 65 Fed. Reg. 54603 (September 8, 2000), applicant has amended claim 1 to incorporate the subject matter of claim 2. Claim 2 has been canceled. Accordingly, applicant asserts that claim 1 has not been narrowed to trigger prosecution history estoppel. *See Salazar v. Procter & Gamble Co.,* 75 USPQ2d, 1369 (stating that introducing claim 7 based on the allowable subject matter of dependent claim 3 of the "149 application was not a narrowing amendment for purposes of patentability and, therefore, does not by itself give rise to prosecution history estoppel).

Claims 3, 4, 7 have been amended to change their dependency. Claims 3, 4, and 6-14, which depend from claim 1, and therefore contain all the limitations thereof, patentably distinguish over the applied prior art in the same manner as claim 1.

Applicant submits that the amendments to the claims do not change the scope of the claims and primarily address the 35 U.S.C. §101 and §112 rejections. The amendments therefore do not necessitate a new search.

Withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of claims 1, 3, 4, and 6-14 are thus respectfully requested.

CITED REFERENCES

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: _____
Henry M. Feiereisen
Agent For Applicant
Reg. No: 31,084

Date: July 17, 2007
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212)244-5500
HMF/WS:be